

REMARKS

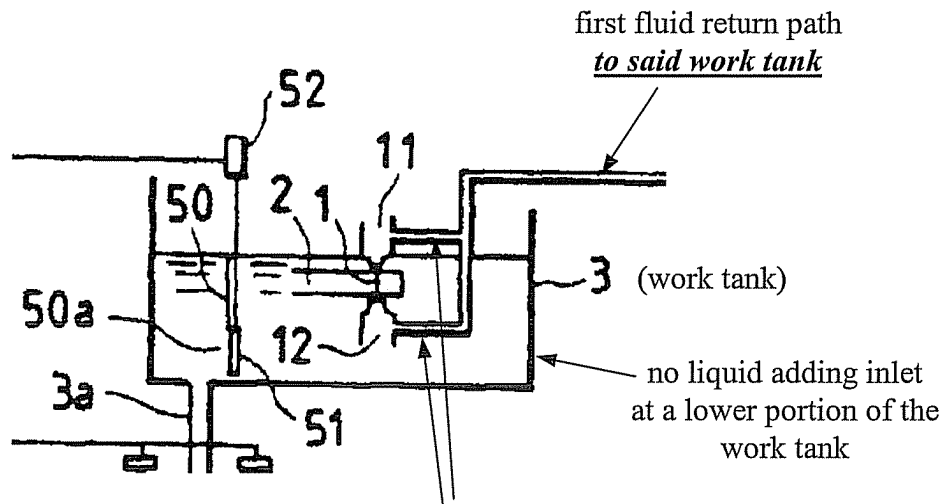
Reconsideration of the instant application is respectfully requested. The present amendment is responsive to the Office Action of October 4, 2006, in which claims 1-24 are presently pending. Of those, claims 1-3, 5, 7, 8, 10, 13-15, 19, 20 and 22 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,221,467 to Suzuki, et al. In addition, claims 5, 11, 12, 17, 23 and 24 have been rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Suzuki. Claims 5, 11, 12, 17, 23 and 24 have been alternatively rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki, in view of U.S. Patent 6,533,927 to Hosaka. Finally, claims 4, 6, 9, 16, 18 and 21 have also been rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki. For the following reasons, however, it is respectfully submitted that the application is now in condition for allowance.

In the present amendment, independent claims 1 and 13 have been amended to incorporate the subject matter of cancelled claims 2 and 14, respectively, therein. Claims 5, 6, 17 and 18 are amended to change the dependencies thereof.

As to each of the outstanding §102 and §103 rejections of the remaining claims based on the Suzuki reference, the Applicants respectfully traverse the same for the reason that Suzuki fails to teach or suggest the use of a second fluid return path to the work tank, as presently claimed. Moreover, Suzuki further fails to teach or suggest that the second fluid return path introduces finely-filtered machining fluid through a liquid adding inlet disposed at a lower portion of the work tank, as is also claimed.

In support of the present rejections, the Examiner has provided an annotated, representative figure from Suzuki in the present Office Action. Applicants present the same figure below, including additional annotations for the Examiner's consideration:

U.S. Patent 5,221,467 (Suzuki), Fig. 7(a):



These two paths branch from the same fluid return path, and both are directed to (opposing) electrodes

As best understood from page 3 of the Office Action, the Applicants interpret the Examiner's added notations ("first path" and "second path") as teaching the claimed first and second fluid return paths to the work tank. However, the Applicants respectfully submit that this is in fact a single path to a respective pair of opposing machining solution nozzles 11, 12 in the work tank 3. (Suzuki, Col. 1, lines 36-39). Even if the Examiner's interpretation of a "first path" and a "second path" as marked in the Office Action is correct, these two paths are shown entirely contained within the work tank 3 itself.


In contrast, the present claims recite first and second return paths *to said work tank* (not within the work tank). In all embodiments taught by Suzuki, there is but a single return path 13 to the work tank 3. Once inside the tank 3, there are arguably two separate feed paths to the opposing nozzles 11, 12 in Suzuki.

Notwithstanding the above, the claims further recite that while the first fluid return path introduces the filtered fluid through an electrode, the second fluid return path introduces the filtered fluid through a liquid adding inlet disposed at a lower portion of the work tank. This is yet another element that is totally missing from Suzuki. Accordingly, because the above discussed claim elements are not taught or suggested in the cited references, the Applicants respectfully submit that each of the outstanding §102 and §103 rejections have been overcome and respectfully request that the same be withdrawn.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,
BIN WEI, ET AL.

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